

RESOLUTION NO. 5979

A RESOLUTION APPROVING AN EXTENDED PROPERTY TAX ABATEMENT AGREEMENT BETWEEN THE CITY OF ALBANY, A COSPONSOR OF THE SOUTH SANTIAM ENTERPRISE ZONE, AND ENTEK INTERNATIONAL, LLC

WHEREAS, Entek International, LLC, is investing in construction of a new production line; and

WHEREAS, Entek International, LLC, intends to add sixteen new employees; and

WHEREAS, Entek International, LLC, anticipates providing average pay and benefits to these employees equal to or greater than 150 percent of the Linn County average, as required under ORS 285C.160; and

WHEREAS, Entek International, LLC,, which is located in the city of Lebanon, has applied to extend the property tax abatement for which it qualifies through its inclusion in the South Santiam Enterprise Zone; and

WHEREAS, the City of Lebanon has requested support of this agreement from the other cosponsors of the South Santiam Enterprise Zone; and

WHEREAS, the City of Albany is a cosponsor of the South Santiam Enterprise Zone.


NOW, THEREFORE, BE IT RESOLVED that the attached Extended Abatement Agreement is hereby approved by the Albany City Council.

DATED AND EFFECTIVE THIS 9TH DAY OF FEBRUARY 2011.


Mayor

ATTEST:


City Clerk



AGREEMENT FOR OREGON ENTERPRISE ZONE EXTENDED ABATEMENT

AGREEMENT WITH THE SOUTH SANTIAM ENTERPRISE ZONE SPONSORS TO EXTEND PROPERTY TAX EXEMPTION TO FIVE CONSECUTIVE YEARS IN TOTAL FOR CAPITAL INVESTMENT BY ENTEK INTERNATIONAL, LLC.

The sponsors of the South Santiam Enterprise Zone comprising the governing bodies of the City of Albany, City of Lebanon, City of Millersburg and Linn County (hereinafter "The Zone Sponsor") and ENTEK International, LLC of Lebanon (hereinafter "The Firm") do hereby enter into an agreement for extending the period of time in which The Firm shall receive an exemption on its investment in qualified property in the South Santiam Enterprise Zone contingent on certain special requirements, under ORS 285C.160 (2003).

The Zone Sponsor and The Firm jointly acknowledge: that subject to submission and approval of an application for authorization and the satisfaction of other requirements under ORS 285C.050 to 285C.250, The Firm is eligible for three years of complete exemption on its qualified property; that nothing in this agreement shall modify or infringe on this three-year exemption or the requirements thereof, and that this agreement becomes null and void if The Firm does not qualify for these three years of the exemption.

The Zone Sponsor extends The Firm's property tax exemption an additional two years on all property that initially qualifies in the South Santiam Enterprise Zone in the assessment year beginning on January 1, 2012 and, thus, sets a total period of exemption of five consecutive years during which statutory requirements for the standard three-year enterprise zone exemption must also be satisfied and maintained.

CONFIRMATION OF STATUTORY PROVISIONS

In order to receive the additional two years of enterprise zone exemption granted herein, The Firm agrees herewith under 285C.160 (3) (a) (A) that for each year of the entire exemption period, all of The Firm's new employees shall receive an average level of compensation equal to or greater than 150 percent of the county average annual wage, in accordance with the specific definitions and guidelines in Oregon Administrative Rules (OAR), Chapter 123, Division 065, which provides that:

1. Such compensation may include non-mandatory benefits that can be monetized;
2. The county average annual wage is set at the time of authorization, except as pursuant to ORS 285C.160 (4), according to the 2009 Linn County average annual wage rate of \$36,868 for which 150 percent equals \$55,302.